

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEVEN MULLINS,

Petitioner,

v.

STEVE SINCLAIR,

Respondent.

CASE NO. C12-5204 RBL-JRC

ORDER GRANTING PETITIONER'S
MOTION TO EXTEND THE STAY
OF THIS PETITION

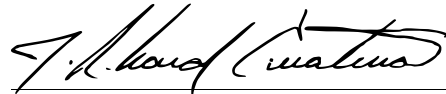
The District Court has referred this 28 U.S.C. § 2254 petition to the undersigned Magistrate Judge. The Court's authority for the referral is 28 U.S.C. § 636(b)(1)(A) and (B), and local Magistrate Judge Rules MJR3 and MJR4.

The Court has stayed this proceeding and is holding petitioner's habeas corpus petition in abeyance while he exhausts claims in state court (ECF No. 20). Petitioner alleges that since this petition was stayed in June of 2012, petitioner has had his personal restraint petition denied by the Washington State Court of Appeals (ECF No. 22). Petitioner also alleges that he is preparing a motion for discretionary review that he will file in the Washington State Supreme Court.

1 Petitioner has shown good cause to continue the stay in this action and he is keeping the
2 Court apprized of the progress of his state proceedings. The matter is stayed until June 21, 2013.

3 Petitioner will file a report and a motion to extend the stay on or before June 11, 2013 --
4 ten days before the stay ends. Petitioner will inform the Court of the status of his state
5 proceedings. The report will include the state court cause number. Further, should the state court
6 dismiss the petition or terminate review, petitioner will inform the Court and file a motion to lift
7 the stay within 30 days of the state court taking action. Petitioner's failure to file a proper report
8 or inform the Court of the termination of state review will result in the Court issuing a report and
9 recommendation that this petition be dismissed.

10 Dated this 18th day of January, 2013.

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13 J. Richard Creatura
14 United States Magistrate Judge